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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 12-0678 MMC
)	
Plaintiff,)	
)	MOTION FOR ARREST WARRANT AND
v.)	[PROPOSED] ORDER
)	
JAMES B. CATLEDGE and)	
DEREK F.C. ELLIOTT)	
)	
Defendants.)	

On September 18, 2012, a Grand Jury sitting in the Northern District of California issued an indictment in the above referenced case charging Derek F.C. Elliot and James Catledge with Conspiracy to Commit Mail Fraud, and Mail Fraud in violation of 18 U.S.C. §§ 1349 and 1341 respectively. The face sheet to the indictment indicates that a summons was to issue for James Catledge and a no bail arrest warrant was to issue for Derek Elliott. The docket for the above entitled case shows that a summons issued for James Catledge, but does not show that a no bail arrest warrant issued for Derek Elliott. Under Federal Rules of Criminal Procedure, Rule 9: "The court must issue a warrant—or at the government's request, a summons—for each defendant named in an indictment."

Mot & Proposed Order Re Arrest Warrant
CR 12-0678 MMC

1 Thus, the United States respectfully requests that the Court issue a no bail arrest warrant for
2 Derek F.C. Elliott.

3
4 Respectfully submitted,

5 MELINDA HAAG
6 United States Attorney

7 Dated: January 11, 2013

8 S/
JONATHAN SCHMIDT
Assistant United States Attorney

9
10 **~~Proposed~~ ORDER**

11 GOOD CAUSE APPEARING it is hereby ordered that a no bail arrest warrant shall
12 immediately issue for the arrest of the defendant, Derek F.C. Elliott.

13
14 **IT IS SO ORDERED.**

15
16 DATED: January 11, 2013

17 
18 MAXINE M. CHESNEY
United States District Judge